



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hartley *et al.*

Appl. No.: 09/517,466

Filed: March 2, 2000

For: **Compositions and Methods for  
Use in Recombinational  
Cloning of Nucleic Acids**

Confirmation No.: 4289

Art Unit: 1634

Examiner: Johannsen, D.

Atty. Docket: 0942.4680003/RWE/BJD/JKM

**Sixth Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450  
Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed electronically on December 15, 2003, in connection with the above-captioned application.

Copies of documents **AJ7-AK7**, **AA8-AK8** and **AA9-AB9** are not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application." A copy of each other document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication

Hartley *et al.*  
Appl. No. 09/517,466

dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

Date: Jan. 21, 2005  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600  
340521\_1.DOC

JAN 21 2003

FORM PTO-1449

SIXTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.  
0942.4680003/RWE/BJD/JKMAPPLICATION NO.  
09/517,466APPLICANT(S)  
Hartley *et al.*FILING DATE  
March 2, 2000ART UNIT  
1634

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA						
AB						
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ7	2002/0182731	12/05/2002	Ji <i>et al.</i>			01/25/2002
AK7	2003/0027289	02/06/2003	Farmer			04/05/2002

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL						Yes No
AM						Yes No
AN9	WO 96/19497	06/27/1996	WIPO			Yes No
AO9	WO 01/31039	05/03/2001	WIPO			Yes No
AP9	WO 02/00875	01/03/2002	WIPO			Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR			
AS			
AT	113		Ball, C.A., and Johnson, R.C., "Efficient Excision of Phage $\lambda$ from the <i>Escherichia coli</i> Chromosome Requires the Fis Protein," <i>J. Bacteriol.</i> 173: 4027-4031, American Society for Microbiology (1991)

EXAMINER	DATE CONSIDERED

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JAN 21 2005

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA8	2003/0054555	03/20/2003	Farmer <i>et al.</i>			09/17/2002
	AB8	2003/0059900	03/27/2003	Farmer			01/17/2002
	AC8	2003/0153055	08/14/2003	Miles <i>et al.</i>			02/20/2003
	AD8	2003/0176644	09/18/2003	Byrd <i>et al.</i>			02/07/2002
	AE8	2003/0220249	11/27/2003	Hackett <i>et al.</i>			02/07/2003
	AF8	2004/0040053	02/26/2004	Nomura <i>et al.</i>			11/22/2002
	AG8	2004/0053412	03/18/2004	Hartley <i>et al.</i>			03/26/2003
	AH8	2004/0063207	04/01/2004	Hartley <i>et al.</i>			10/08/2003
	AI8	6,720,140	04/13/2004	Hartley <i>et al.</i>			02/04/2000
	AJ8	2004/0171156	09/02/2004	Hartley <i>et al.</i>			04/02/2004
	AK8	2004/0171157	09/02/2004	Hartley <i>et al.</i>			04/08/2004

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL10	WO 02/08391	01/31/2002	WIPO			Yes No
	AM10	WO 02/16594	02/28/2002	WIPO			Yes No
	AN10	WO 02/61034	08/08/2002	WIPO			Yes No
	AO10	WO 03/25161	03/27/2003	WIPO			Yes No
	AP10	WO 03/103600	12/18/2003	WIPO			Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	114	Bruckner, R.C., and Cox, M.M., "The Histone-like H Protein of <i>Escherichia coli</i> is a ribosomal protein s3," <i>Nucl. Acids Res.</i> 17:3145-3161, Oxford University Press (1989)
AS	114	Hartley, J.L., <i>et al.</i> , "DNA Cloning Using In Vitro Site-Specific Recombination," <i>Genome Res.</i> 10:1788-1795, Cold Spring Harbor Laboratory Press (November 2000)
AT	114	Heyman, J.A., <i>et al.</i> , "Genome-Scale Cloning and Expression of Individual Open Reading Frames Using Topoisomerase I-Mediated Ligation," <i>Genome Res.</i> 9:383-392, Cold Spring Harbor Laboratory Press (April 1999)

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**SIXTH SUPPLEMENTAL**  
**INFORMATION DISCLOSURE STATEMENT**

ATTY. DOCKET NO.  
0942.4680003/RWE/BJD/JKM

APPLICATION NO.  
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**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA9	2004/0219516	11/04/2004	Bennett <i>et al.</i>			07/18/2003
	AB9	2004/0219673	11/04/2004	Hartley <i>et al.</i>			03/10/2004
	AC						
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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	115	Institut Pasteur Website, Introduction: <a href="http://www.pasteur.fr/recherche/unites/pmtg/integ/intro.html">http://www.pasteur.fr/recherche/unites/pmtg/integ/intro.html</a> (accessed 6/19/2003)
	AS	115	Institut Pasteur Website, Figure 1: <a href="http://www.pasteur.fr/recherche/unites/pmtg/integ/fig1.html">http://www.pasteur.fr/recherche/unites/pmtg/integ/fig1.html</a> (accessed 6/19/2003)
	AT	115	Institut Pasteur Website, Figure 2: <a href="http://www.pasteur.fr/recherche/unites/pmtg/integ/fig2.html">http://www.pasteur.fr/recherche/unites/pmtg/integ/fig2.html</a> (accessed 6/19/2003)

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FORM PTO-1449 <b>SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>		ATTY. DOCKET NO. 0942.4680003/RWE/BJD/JKM		APPLICATION NO. 09/517,466	
		APPLICANT(S) Hartley <i>et al.</i>			
		FILING DATE March 2, 2000		ART UNIT 1634	

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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

AR	<u>116</u>	Institut Pasteur Website, Figure 3: <a href="http://www.pasteur.fr/recherche/unites/pmtg/integ/fig3.html">http://www.pasteur.fr/recherche/unites/pmtg/integ/fig3.html</a> (accessed 6/19/2003)
AS	<u>116</u>	Institut Pasteur Website, Main Page: <a href="http://www.pasteur.fr/recherche/unites/pmtg">http://www.pasteur.fr/recherche/unites/pmtg</a> (accessed 6/19/2003)
AT	<u>116</u>	Invitrogen Online Catalog, "The Echo™ Cloning System: The Future of Cloning is Here," available at: <a href="http://web.archive.org/web/20010112191100/www.invitrogen.com/catalog_project/cat_echo.html">http://web.archive.org/web/20010112191100/www.invitrogen.com/catalog_project/cat_echo.html</a> (accessed July 7, 2004)

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FORM PTO-1449

## SIXTH SUPPLEMENTAL TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT

JAN 21 2005  
O I P E  
U. S. PATENT & TRADEMARK OFFICE  
FEB 11 2005

ATTY. DOCKET NO.  
0942.4680003/RWE/BJD/JKMAPPLICATION NO.  
09/517,466

APPLICANT(S)

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AL						Yes No
AM						Yes No
AN						Yes No
AO						Yes No
AP						Yes No

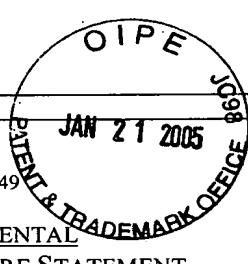
## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	117	Invitrogen Online Catalog, "The Echo™ Cloning System: The Future of Cloning is Here," available at: <a href="http://invitrogen.com/content.cfm?pageid=3371&amp;cfid=16767784&amp;cftoken=62396683">http://invitrogen.com/content.cfm?pageid=3371&amp;cfid=16767784&amp;cftoken=62396683</a> (accessed July 7, 2004)
AS	117	Kuempel, P., <i>et al.</i> , "Use of a transposon (Tndif) to obtain suppressing and nonsuppressing insertions of the dif resolvase site of <i>Escherichia coli</i> ," <i>Genes &amp; Development</i> 10:1162-1171, Cold Spring Harbor Laboratory Press (1996)
AT	117	Lee, M.H., <i>et al.</i> , "Site-specific integration of mycobacteriophage L5: Integration-proficient vectors for <i>Mycobacterium smegmatis</i> , <i>Mycobacterium tuberculosis</i> , and bacille Calmette-Guérin," <i>Proc. Natl. Acad. Sci. USA</i> 88:3111-3115, National Academy of Sciences (1991)

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	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>118</u>	Lenski, R.E., <i>et al.</i> , "Genetic Analysis of a Plasmid-Encoded, Host Genotype-Specific Enhancement of Bacterial Fitness," <i>J. Bacteriol.</i> 176:3140-3147, American Society For Microbiology (1994)
AS	<u>118</u>	Manning, P.A., <i>et al.</i> , "Gene Capture in <i>Vibrio cholera</i> ," <i>Trends in Microbiology</i> 7:93-95, Elsevier Science (March 1999)
AT	<u>118</u>	Ohara, O., and Temple, G., "Directional cDNA library construction assisted by the <i>in vitro</i> recombination reaction," <i>Nucl. Acids Research</i> 29:e22(1-8), Oxford University Press (February 2001)

EXAMINER

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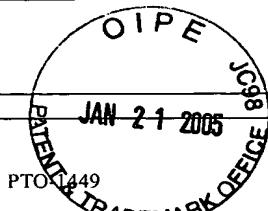
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AL						Yes
AM						No
AN						Yes
AO						No
AP						Yes

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>119</u>	Russell, M., "A recombination-based cloning system that decreases time to protein analysis," <i>Am. Biotechnol. Lab.</i> 18:8,10, International Scientific Communications, Inc. (June 2000)
AS	<u>119</u>	Shuman, S., "Novel Approach to Molecular Cloning and Polynucleotide Synthesis Using Vaccinia DNA Topoisomerase," <i>J. Biol. Chem.</i> 269:32678-32684, American Society for Biochemistry and Molecular Biology, Inc. (1994)
AT	<u>119</u>	Sinclair, B., "Honing Your Cloning," <i>The Scientist</i> 14:29-32, The Scientist Inc. (August 21, 2000) available at: <a href="http://www.the-scientist.com/yr2000/aug/profile1_000821.html">http://www.the-scientist.com/yr2000/aug/profile1_000821.html</a>

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	AL						Yes
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	AN						Yes
	AO						No
	AP						Yes
							No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>120</u>	Stuurman, J., <i>et al.</i> , "Single-site manipulation of tomato chromosomes <i>in vitro</i> and <i>in vivo</i> using Cre-lox site-specific recombination," <i>Plant Molecular Biology</i> 32:901-913, Kluwer Academic Publishers (1996)
AS	<u>120</u>	Zechiedrich, E.L., <i>et al.</i> , "Topoisomerase IV, not gyrase, decatenates products of site-specific recombination in <i>Escherichia coli</i> ," <i>Genes Dev.</i> 11:2580-2592, Cold Spring Harbor Laboratory Press (1997)
AT	<u>120</u>	Office Action for U.S. Patent Application No. 09/907,719, mailed on July 13, 2004

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FORM PTO-144A

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APPLICANT(S)

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>121</u>	Office Action for U.S. Patent Application No. 09/432,085, mailed on July 16, 2004
	AS	<u>121</u>	Office Action for U.S. Patent Application No. 10/058,291, mailed on September 22, 2004
	AT	<u>121</u>	Office Action for U.S. Patent Application No. 10/058,292, mailed on September 22, 2004

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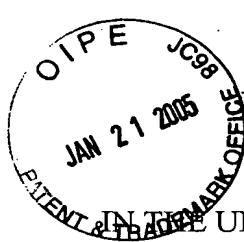
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	AM						No
	AN						Yes
	AO						No
	AP						Yes
							No

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	AR	<u>122</u>	Office Action for U.S. Patent Application No. 09/855,797, mailed on October 1, 2004
	AS	<u>122</u>	Office Action for U.S. Patent Application No. 09/695,065, mailed on October 27, 2004
	AT	<u>122</u>	Office Action for U.S. Patent Application No. 10/820,133 mailed on November 17, 2004

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Confirmation No.: 4289

Art Unit: 1634

Examiner: Johannsen, D.

Atty. Docket: 0942.4680003/RWE/BJD/JKM

**Seventh Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

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Respectfully submitted,

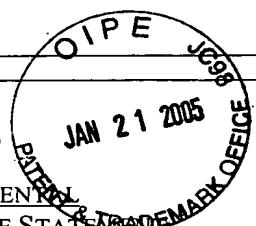
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: Jan. 21, 2001  
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SEVENTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
0942.4680003/RWE/BJD/JKMAPPLICATION NO.  
09/517,466APPLICANT(S)  
Hartley *et al.*FILING DATE  
March 2, 2000ART UNIT  
1634

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA20	4,808,537	02/28/1989	Stroman <i>et al.</i>			10/30/1984
	AB20	4,855,231	08/08/1989	Stroman <i>et al.</i>			09/25/1985
	AC20	4,959,217	09/25/1990	Sanders <i>et al.</i>			05/22/1986
	AD20	5,654,182	08/05/1997	Wahl <i>et al.</i>			06/07/1995
	AE20	2002/0106797	08/08/2002	Miles <i>et al.</i>			03/12/2001
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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	200	Agah, R., <i>et al.</i> , "Gene Recombination in Postmitotic Cells. Targeted Expression of Cre Recombinase Provokes Cardiac-restricted, Site-specific Rearrangement in Adult Ventricular Muscle In Vivo," <i>J. Clin. Invest.</i> 100:169-179, The American Society for Clinical Investigation, Inc. (1997)
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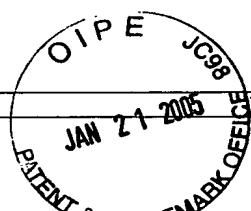
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>201</u>	Broach, J.R., "The Yeast Plasmid 2 $\mu$ Circle," <i>Cell</i> 28:203-204, MIT (1982)
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	AO						No
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>203</u>	Gottesman, S., "Bacterial Regulation: Global Regulatory Networks," <i>Ann. Rev. Genet.</i> 18:415-441, Annual Reviews, Inc. (1984)
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ATTY. DOCKET NO.  
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APPLICATION NO.  
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APPLICANT(S)  
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FILING DATE  
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	AN						Yes
	AO						No
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**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

AR	<u>204</u>	Hamer, D.H. and Walling, M., "Regulation <i>In Vivo</i> of a Cloned Mammalian Gene: Cadmium Induces the Transcription of a Mouse Metallothionein Gene in SV40 Vectors," <i>J. Mol. Appl. Genet.</i> 1:273-288, Raven Press (1982)
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AT	<u>204</u>	Huang, L-C., <i>et al.</i> , "Convenient and Reversible Site-Specific Targeting of Exogenous DNA into a Bacterial Chromosome by Use of the FLP Recombinase: the FLIRT System," <i>J. Bacteriol.</i> 179:6076-6083, American Society for Microbiology (1997)

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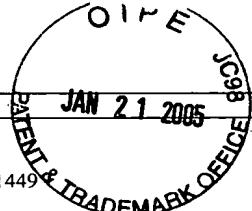
## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>205</u>	John, Jr., J.F. and Twitty, J.A., "Plasmids as Epidemiologic Markers in Nosocomial Gram-Negative Bacilli: Experience at a University and Review of the Literature," <i>Rev. Infect. Dis.</i> 8:693-704, University of Chicago (1986)
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	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>206</u>	Lyznik, L.A., <i>et al.</i> , "Activity of yeast FLP recombinase in maize and rice protoplasts," <i>Nucleic Acids Res.</i> 21:969-975, Oxford University Press (1993)
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AT	<u>206</u>	Mayer, B.J. and Baltimore, D., "Signalling through SH2 and SH3 domains," <i>Trends Cell Biol.</i> 3:8-13, Elsevier Science (1993)

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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	207	McKnight, S.L., "Functional Relationships between Transcriptional Control Signals of the Thymidine Kinase Gene of Herpes Simplex Virus," <i>Cell</i> 31:355-365, MIT (1982)
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	AT	207	Odell, J., <i>et al.</i> , "Site-directed recombination in the genome of transgenic tobacco," <i>Mol. Genet.</i> 223:369-378, Springer-Verlag (1990)

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JAN 21 2005

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	AN						Yes No
	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	208	Peterson, B.O. and Shuman, S., "Histidine 265 Is Important for Covalent Catalysis by Vaccinia Topoisomerase and Is Conserved in All Eukaryotic Type I Enzymes," <i>J. Biol. Chem.</i> 272:3891-3896, The American Society for Biochemistry and Molecular Biology, Inc. (1997)
AS	208	Rausch, H. and Lehmann, M., "Structural analysis of the actinophage $\Phi$ C31 attachment site," <i>Nucleic Acids Res.</i> 19:5187-5189, IRL Press (1991)
AT	208	Sadowski, I., <i>et al.</i> , "A Noncatalytic Domain Conserved among Cytoplasmic Protein-Tyrosine Kinases Modifies the Kinase Function and Transforming Activity of Fujinami Sarcoma Virus P130 <sup>gag-fps</sup> ," <i>Mol. Cell. Biol.</i> 6:4396-4408, American Society for Microbiology (1986)

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	AP						Yes No

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AR	<u>209</u>	Sauer, B. and Henderson, N., "Targeted Insertion of Exogenous DNA into the Eukaryotic Genome by the Cre Recombinase," <i>New Biol.</i> 2:441-449, Saunders Scientific Publications/W.B. Saunders Company (1990)
AS	<u>209</u>	Senecoff, J.F., <i>et al.</i> , "The FLP recombinase of the yeast 2-μm plasmid: Characterization of its recombination site," <i>Proc. Natl. Acad. Sci. USA</i> 82:7270-7274, National Academy of Sciences (1985)
AT	<u>209</u>	Shaikh, A.C. and Sadowski, P.D., "The Cre Recombinase Cleaves the <i>lox</i> Site in <i>trans</i> ," <i>J. Biol. Chem.</i> 272:5695-5702, The American Society for Biochemistry and Molecular Biology, Inc. (1997)

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AR	210	Shirai, M., <i>et al.</i> , "Site-Specific Integration of the Actinophage R4 Genome into the Chromosome of <i>Streptomyces parvulus</i> upon Lysogenization," <i>J. Bacteriol.</i> 173:4237-4239, American Society for Microbiology (1991)
AS	210	Shuman, S., <i>et al.</i> , "Characterization of Vaccinia Virus DNA Topoisomerase I Expressed in <i>Escherichia coli</i> ," <i>J. Biol. Chem.</i> 263:16401-16407, The American Society for Biochemistry and Molecular Biology, Inc. (1988)
AT	210	Shuman, S., "Site-specific Interaction of Vaccinia Virus Topoisomerase I with Duplex DNA. Minimal DNA Substrate for Strand Cleavage <i>In Vitro</i> ," <i>J. Biol. Chem.</i> 266:11372-11379, The American Society for Biochemistry and Molecular Biology, Inc. (1991)

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	AP						Yes No

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AR	<u>211</u>	Shuman, S., "Erratum: Site-specific Interaction of Vaccinia Virus Topoisomerase I with Duplex DNA. Minimal DNA Substrate for Strand Cleavage <i>In Vitro</i> ," <i>J. Biol. Chem.</i> 266:20576-20577, The American Society for Biochemistry and Molecular Biology, Inc. (1991)
AS	<u>211</u>	Silver, P.A., <i>et al.</i> , "Amino terminus of the yeast <i>GAL4</i> gene product is sufficient for nuclear localization," <i>Proc. Natl. Acad. Sci. USA</i> 81:5951-5955, National Academy of Sciences (1984)
AT	<u>211</u>	Stark, W.M., <i>et al.</i> , "Catalysis by site-specific recombinases," <i>Trends Genet.</i> 8:432-439, Elsevier Science (1992)

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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	212	Ulmanen, I., <i>et al.</i> , "Transcription and Translation of Foreign Genes in <i>Bacillus subtilis</i> by the Aid of a Secretion Vector," <i>J. Bacteriol.</i> 162:176-182, American Society for Microbiology (1985)
	AS	212	van Deursen, J., <i>et al.</i> , "Cre-mediated site-specific translocation between nonhomologous mouse chromosomes," <i>Proc. Natl. Acad. Sci. USA</i> 92:7376-7380, National Academy of Sciences (1995)
	AT	212	Ward, J.M., <i>et al.</i> , "Construction and characterisation of a series of multi-copy promoter-probe plasmid vectors for <i>Streptomyces</i> using the aminoglycoside phosphotransferase gene from Tn5 as indicator," <i>Mol. Gen. Genet.</i> 203:468-478, Springer-Verlag (1986)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT <small>SEARCHED &amp; TRADEMARK OFFICE</small>		ATTY. DOCKET NO. 0942.4680003/RWE/BJD/JKM	APPLICATION NO. 09/517,466	
		APPLICANT(S) Hartley <i>et al.</i>		
		FILING DATE March 2, 2000	ART UNIT 1634	

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA						
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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL						Yes No
AM						Yes No
AN						Yes No
AO						Yes No
AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	213	Invitrogen Life Technologies online catalog, "Directional TOPO Entry Vectors," 4 pages, accessed September 27, 2002, available at: <a href="http://www.invitrogen.com/content.cfm?pageid=3799&amp;cfid=2897960&amp;cftoken=88086554">http://www.invitrogen.com/content.cfm?pageid=3799&amp;cfid=2897960&amp;cftoken=88086554</a>
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AT		
EXAMINER	DATE CONSIDERED	

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hartley *et al.*

Appl. No.: 09/517,466

Filed: March 2, 2000

For: **Compositions and Methods for  
Use in Recombinational  
Cloning of Nucleic Acids**

Confirmation No.: 4289

Art Unit: 1634

Examiner: Johannsen, D.

Atty. Docket: 0942.4680003/RWE/BJD/JKM

**Eighth Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450  
Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this Eighth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Seventh Supplemental Information Disclosure Statement filed herewith, in connection with the above-captioned application.

Copies of documents **AF20** and **AG20** are not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application." A copy of each other document is provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents **AL20** and **AM20** cited on Form PTO 1449:

Document **AL20**, French Patent Publication No. FR 2 670 502, is in the French language. Document **AM20**, PCT Patent Publication No. WO 92/10577, is in the French language. An unverified English language abstract of documents **AL20** and **AM20** is attached as document **AS213**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Hartley *et al.*  
Appl. No. 09/517,466

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

Date: Jan. 21, 2011  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600  
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Page 1 of 3

<p><u>EIGHTH SUPPLEMENTAL</u> <u>INFORMATION DISCLOSURE STATEMENT</u></p>		ATTY. DOCKET NO. 0942,4680003/RWE/BJD/JKM	APPLICATION NO. 09/517,466	
		APPLICANT(S) Hartley <i>et al.</i>		
		FILING DATE March 2, 2000	ART UNIT 1634	

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
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	AE						
	AF20	5,451,513	09/19/1995	Maliga <i>et al.</i>			08/25/1993
	AG20	2004/0253631	12/16/2004	Hartley <i>et al.</i>			07/19/2004
	AH						
	AI						
	AJ						
	AK						

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL20	FR 2 670 502	06/16/1992	France			Yes X No
	AM20	WO 92/10577	06/25/1992	WIPO			Yes X No
	AN20	WO 94/20604	09/15/1994	WIPO			Yes No
	AO20	WO 00/29000	05/25/2000	WIPO			Yes No
	AP20	WO 00/52027	09/08/2000	WIPO			Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

AR			
AS	213	Dialog File 351, Derwent World Patent Index, English Language Abstract for French Patent No. FR 2 670 502 (Document AL20) and PCT Patent No. WO 92/10577 (Document AM20), WPI Accession No. 9107201	
AT	213	Office Action for U.S. Patent Application No. 09/907,719 mailed on December 28, 2004	

EXAMINER	DATE CONSIDERED
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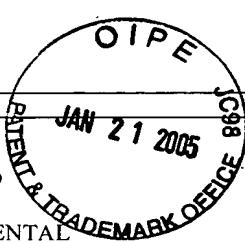
**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449  <u>EIGHTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</u>		JAN 21 2005 U.S. PATENT AND TRADEMARK OFFICE PATENT & TRADEMARK OFFICE SEARCHED INDEXED SERIALIZED FILED		ATTY. DOCKET NO. 0942.4680003/RWE/BJD/JKM	APPLICATION NO. 09/517,466		
				APPLICANT(S) Harltey <i>et al.</i>			
		FILING DATE March 2, 2000	ART UNIT 1634				
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL21	WO 00/52141	09/08/2000	WIPO			Yes No
	AM21	WO 01/25466	04/12/2001	WIPO			Yes No
	AN21	WO 01/42509	06/14/2001	WIPO			Yes No
	AO21	WO 02/46372	06/13/2002	WIPO			Yes No
	AP21	WO 02/62957	08/15/2002	WIPO			Yes No
<b>OTHER (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
	AR	214	Office Action for U.S. Patent Application No. 09/432,085, mailed on December 28, 2004				
	AS						
	AT						
EXAMINER					DATE CONSIDERED		
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EIGHTH SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
0942.4680003/RWE/BJD/JKMAPPLICATION NO.  
09/517,466

APPLICANT(S)

Harltey *et al.*FILING DATE  
March 2, 2000ART UNIT  
1634

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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL22	WO 02/86144	10/31/2002	WIPO			Yes No
	AM22	WO 02/095055	11/28/2002	WIPO			Yes No
	AN22	WO 03/044207	05/30/2003	WIPO			Yes No
	AO22	WO 04/009768	01/29/2004	WIPO			Yes No
	AP22	WO 04/013290	02/12/2004	WIPO			Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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